

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

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OFFICE OF THE
EXECUTIVE SECRETARY

In Re: Complaint of XO Tennessee, Inc.
Against BellSouth Telecommunications,
Inc.

)
)
) Docket No. 01-00868
)

Complaint of Access Integrated
Networks, Inc. Against BellSouth
Telecommunications, Inc.

)
)
)

MOTION TO COMPEL THE TESTIMONY OF WITNESSES

Access Integrated Network, Inc. ("AIN") and XO Tennessee, Inc. ("XO") move the Hearing Officer to compel the following witnesses to attend the above-captioned proceeding and to be examined under oath concerning the issues raised in this proceeding.¹

1. Peggy Maxwell. (The sales agent for BERRYDirect who made the sales offer attached to AIN's complaint.)

2. Kathy Finn. (Identified by BellSouth as the sales manager responsible for the sales channel involved in the sales offer described above. *See* BellSouth Response to Staff's 1st Data Request, Item 2.)

3. Robin Porter. (The sales agent for BellSouth who made the sales offer attached to XO's complaint.)

¹ The Tennessee Regulatory Authority has the power "to examine, under oath the officers, agents, and employees of the companies" under its jurisdiction and may "issue subpoenas for the attendance of witnesses" if necessary. *See* T.C.A. § 65-3-108, 110, and 112. Since all the requested witnesses are either employees or agents of BellSouth Telecommunications, Inc. or an affiliated corporate entity, subpoenas will presumably not be necessary.

4. Michael Sisk. (Identified by BellSouth as the manager responsible for the sales channel involved in the sales offer described above. *See BellSouth's Response to Staff's 1st Data Request, Item 2.*)

5. Don Livingston. (Identified by BellSouth as the sales manager with responsibility for the development of the offer of free service in connection with the 2001 Key Customer Program and training materials. *See BellSouth's Response to Staff's 1st Data Request, Item 2.*)

6. Richard E. Tice. (The president of BellSouth Select, Inc.)

7. Richard A. Anderson. (President, Customer Markets, BellSouth Corporation. The individual with overall responsibility for all domestic wireline retail operations of BellSouth.)

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____

Henry Walker

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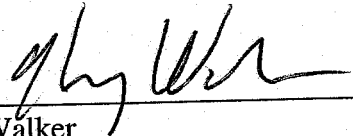
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 29th day of November, 2001.

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Henry Walker